

LAW OFFICES
LEYDIG, VOIT & MAYER, LTD.
TWO PRUDENTIAL PLAZA, SUITE 4900
CHICAGO, ILLINOIS 60601-6780

RECEIVED
CENTRAL FAX CENTER

JAN 11 2005

TELEPHONE: (312) 616-5600

TELECOPY: (312) 616-5700 (G3)
(312) 849-0495 (G4)

FACSIMILE COVER SHEET

DATE: JANUARY 11, 2005

NUMBER OF PAGES (INCLUDING
THIS TRANSMITTAL COVER SHEET): 5

OUR REFERENCE: 888888

FROM: JOHN KILYK, JR./KLM
REGISTRATION NO. 30,763

DIRECT LINE: (312) 616-5665

TO: COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
ALEXANDRIA, VA 22313

FACSIMILE NUMBER: (703) 872-9306

IN RE APPLN. OF: Kaye et al.
APPLICATION NO. 10/698,070
FILED: October 30, 2003
FOR: COMPOSITIONS AND METHODS FOR INHIBITING
TRANSLATION OF A CHIMERIC GENE

ATTORNEY DOCKET: 221749

ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:

REQUEST TO ASSOCIATE APPLICATION WITH CUSTOMER NUMBER (1 PAGE)

COMBINED DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION AND POWER OF ATTORNEY
(3 PAGES)

A confirmation copy of the transmitted document will:

☒ Not be sent. This will be the only form of delivery of the transmitted document.

The information contained in this facsimile transmission is intended only for the use of the individual or entity named above and those properly entitled to access to the information and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this transmission is not the intended or an authorized recipient, you are hereby notified that any unauthorized distribution, dissemination, or duplication of this transmission is prohibited. If you have received this transmission in error, please immediately notify us by telephone or facsimile. Thank you.

JAN 11 2005

PATENT
Attorney Docket No. 221749
DHHS Reference No. E-086-2003/0-US-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kaye et al.

Group Art Unit: 1645

Application No. 10/698,070

Examiner: Unassigned

Filed: October 30, 2003

For: COMPOSITIONS AND METHODS FOR
INHIBITING TRANSLATION OF A
CHIMERIC GENE

**REQUEST TO ASSOCIATE
APPLICATION WITH CUSTOMER NUMBER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Please associate the subject application with Customer Number:

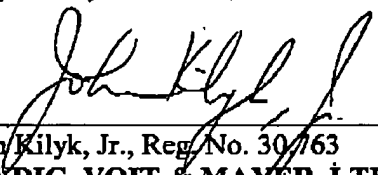
45733

Correspondence concerning this application should be directed to Leydig, Voit & Mayer, Ltd.: Customer Number 45733.

45733

The undersigned has power of attorney with respect to the subject application, as evidenced by the attached document, which is a copy of a previously filed document in the subject application or a parent application.

Respectfully submitted,



John Kilyk, Jr., Reg. No. 30763
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: January 11, 2005

PATENT
 Attorney Docket No. 221749
 DHHS Ref. No. E-086-2003/0-US-01

**COMBINED DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION
 AND POWER OF ATTORNEY**

- ☐ Declaration Submitted with Initial Filing OR
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (*if only one name is listed below*) or an original, first, and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COMPOSITIONS AND METHODS FOR INHIBITING TRANSLATION OF A CHIMERIC GENE

the specification of which:

- ☐ is attached hereto.
☒ was filed on October 30, 2003 as Application No. 10/698,070 and was amended on (*if applicable*).
☐ was filed by Express Mail No. as Application No. not known yet, and was amended on (*if applicable*).
☐ was filed on as PCT International Application No. PCT/ and was amended on (*if any*).

I state that I have reviewed and understand the contents of the specification identified above, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I claim foreign priority benefits under 35 USC 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) designating at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, utility model, design registration, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter and having a filing date before that of the application(s) from which the benefit of priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Claimed | | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | | | YES | NO | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

As a named inventor, I hereby appoint the National Institutes of Health, Office of Technology Transfer, 6011 Executive Blvd., Ste. 325, Rockville, Maryland 20852-3804, Telephone (301) 496-7056, as Principal Attorneys and to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith: Customer Number 05318.

In re Appln. of Kaye et al.
Attorney Docket No. 221749

05318

Please recognize Leydig, Voit, & Mayer, Ltd. as Associate Attorneys in this case: Customer Number 23460.

23460

I further direct that correspondence concerning this application be directed to Leydig, Voit & Mayer, Ltd.:
Customer Number 23460.

23460

I declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Frederic J. KAYE

Inventor's signature Frederic J. Kaye

Date 2/20/04

Country of Citizenship: US

Residence: US
(city/state or country)

Post Office Address: 6 Purcell Court, Potomac, Maryland 20854
(complete mailing address)

Full name of second joint inventor, if any: Takefumi KOMIYA

Inventor's signature _____

Date _____

Country of Citizenship: JP

Residence: JP
(city/state or country)

Post Office Address: 2-15-4 Ohmodai, Osakasayama, Osaka 589-0023 Japan
(complete mailing address)

In re Appln. of Kaye et al.
Attorney Docket No. 221749

05318

Please recognize Leydig, Voit, & Mayer, Ltd. as Associate Attorneys in this case: Customer Number 23460.

23460

I further direct that correspondence concerning this application be directed to Leydig, Voit & Mayer, Ltd.: Customer Number 23460.

23460

I declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Frederic J. KAYE

Inventor's signature _____

Date _____

Country of Citizenship: US

Residence: US
(city/state or country)

Post Office Address: 6 Purcell Court, Potomac, Maryland 20854
(complete mailing address)

Full name of second joint inventor, if any: Takafumi KOMIYA

Inventor's signature Takafumi Komiya

Date 1/29/2004

Country of Citizenship: JP

Residence: JP
(city/state or country)

Post Office Address: 2-15-4 Ohnodai, Osakasayama, Osaka 589-0023 Japan
(complete mailing address)